

Glossary for Title 9, Chapter 11 Notice of Proposed Rulemaking

The health care institution facility data rules cite terms and phrases that are located in existing rules, statutes, and federal regulations. The purpose of this glossary is to provide readers with definitions for those rules, statutes, and federal regulations.

“Accredited” means accredited by a nationally recognized accreditation organization. (A.R.S. § 36-422)

“Administrator” means a chief administrative officer, or an individual who has been designated by the governing authority to act on its behalf in the onsite direction of the hospital. (R9-10-201)

“Adult” means an individual the hospital designates as an adult based on the hospital’s criteria. (A.A.C. R9-10-201)

“Behavioral health service” means the assessment, diagnosis, or treatment of an individual’s behavioral health issue. (A.A.C. R9-20-101)

For the purposes of this article, “cardiopulmonary resuscitation” includes cardiac compression, endotracheal intubation and other advanced airway management, artificial ventilation, defibrillation, administration of advanced cardiac life support drugs and related emergency medical procedures. Authorization for the withholding of cardiopulmonary resuscitation does not include the withholding of other medical interventions, such as intravenous fluids, oxygen or other therapies deemed necessary to provide comfort care or to alleviate pain. (A.R.S. § 36-3251)

“Chief administrative officer” means an individual designated by a governing authority to implement the governing authority’s direction in a health care institution. (A.A.C. R9-10-101)

“Direction” means authoritative policy or procedural guidance for the accomplishment of a function or activity. (A.R.S. § 36-401)

“Drug” means:

- (a) Articles recognized, or for which standards or specifications are prescribed, in the official compendium.
- (b) Articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in the human body or other animals.

- (c) Articles other than food intended to affect the structure or any function of the human body or other animals.
- (d) Articles intended for use as a component of any articles specified in subdivision (a), (b) or (c) of this paragraph but does not include devices or their components, parts or accessories. (A.R.S. § 32-1901)

“Electronic” means technology that has electrical, digital, magnetic, wireless, optical or electromagnetic capabilities or technology with similar capabilities. (A.R.S. § 36-301)

“Emergency” means an immediate threat to the life or health of a patient. (A.A.C. R9-10-201)

“Emergency services” means unscheduled medical services provided in a designated area to an outpatient in an emergency. (R9-10-201)

“Governing authority” means the individual, agency, group or corporation, appointed, elected or otherwise designated, in which the ultimate responsibility and authority for the conduct of the health care institution are vested. (A.R.S. § 36-401)

“Health care institution” means every place, institution, building or agency, whether organized for profit or not, which provides facilities with medical services, nursing services, health screening services, other health-related services, supervisory care services, personal care services or directed care services and includes home health agencies as defined in section 36-151 and hospice service agencies. (A.R.S. § 36-401)

“Health professional” means a person who is certified or licensed pursuant to chapter 7, 8, 11, 13, 14, 15, 15.1, 16, 17, 18, 19, 19.1, 21, 25, 28, 29, 33, 34, 35, 39, 41 or 42 of this title, title 36, chapter 4, article 6, title 36, chapter 6, article 7 or title 36, chapter 17. (A.R.S. § 32-3201)

“Health-related services” means services, other than medical, pertaining to general supervision, protective, preventive and personal care services, supervisory care services or directed care services. (A.R.S. § 36-401)

“Home health agency” means an agency or organization, or a subdivision of such an agency or organization, which meets all of the following requirements:

- (a) Is primarily engaged in providing skilled nursing services and other therapeutic services.
- (b) Has policies, established by a group of professional personnel, associated with the agency or organization, including one or more physicians and one or more registered professional nurses, to govern the services referred to in subdivision (a), which it provides, and provides for supervision of such services by a physician or registered professional nurse.
- (c) Maintains clinical records on all patients. (A.R.S. § 36-151)

“Home health services” means the items and services enumerated in this paragraph and furnished to a person who is under the care of a physician and surgeon, not including the services of a physician and surgeon. Such items and services may be furnished by a home health agency or by others under arrangements made by such agency, under a plan established and periodically reviewed by such physician and surgeon. Such items and services, except as provided in subdivision (b) of this paragraph, shall be furnished on a visiting basis in a place of residence used as such person’s home and shall consist of:

- (a) Part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse and either physical, occupational or speech therapy, or, to the extent permitted in department regulations, part-time or intermittent services of a home health aide, and such items and services may further consist of any or all of the following:
 - (i) Medical social services under the direct supervision of a physician and surgeon.
 - (ii) Medical supplies, other than drugs and biologicals, and the use of medical appliances, while under such a plan.
 - (iii) In the case of a home health agency which is affiliated or under common control with a hospital, medical services provided by an intern or resident-in-training of such hospital, under a teaching program of such hospital approved as provided in paragraph 4 of this section.
- (b) Any of the items and services enumerated in subdivision (a) of this paragraph, which are provided on an outpatient basis, under arrangements made by the home health agency, at a hospital or extended care facility, or at a rehabilitation center which meets such standards as may be prescribed in regulations, and under one of the following conditions:

- (i) The furnishing of such items and services involves the use of equipment of such a nature that the items and services cannot readily be made available to such person in such place of residence.
- (ii) Such items and services are furnished at such facility while he is there to receive any such item or service described in item (i) of this subdivision, but not including transportation of such person in connection with any such item or service. Any item or service, if it would not be included under paragraph 4 of this section if furnished to an inpatient of a hospital, shall be excluded. (A.R.S. § 36-151)

“Hospice” means a hospice service agency or the provision of hospice services in an inpatient facility. (A.R.S. § 36-401)

“Hospice inpatient facility” means a health care institution licensed under this Article that provides hospice services to a patient requiring inpatient services. (R9-10-801)

“Hospice service” means an action identified in R9-10-808 that hospice staff provide for a hospice patient. (R9-10-801)

“Hospice service agency” means an agency or organization, or a subdivision of that agency or organization, that is engaged in providing hospice services at the place of residence of its clients. (A.R.S. § 36-401)

“Hospital” means a class of health care institution that provides, through an organized medical staff, inpatient beds, medical services, and continuous nursing services for the diagnosis and treatment of patients. (R9-10-201)

“Hospital services” means medical services, nursing services, and other health-related services provided in a hospital. (R9-10-201)

“Inpatient” means an individual who:

- a. Is admitted to a hospital; or
- b. Receives hospital services for 24 consecutive hours or more. (R9-10-201)

“Inpatient beds” or “resident beds” means accommodations with supporting services, such as food, laundry and housekeeping, for patients or residents who generally stay in excess of twenty-four hours. (A.R.S. § 36-401)

“Inpatient services” means sleeping accommodations and assistance, such as personal care and food preparation, provided to a patient at one of the following health care institutions:

- a. A hospice inpatient facility licensed under A.R.S. Title 36, Chapter 4 and this Article; or
- b. A hospital or nursing care institution licensed under A.R.S. Title 36, Chapter 4 and 9 A.A.C. 10. (R9-10-801)

“Intensive care services” means hospital services provided to a critically ill inpatient who requires the services of specially trained nursing and other personnel members as specified in hospital policies and procedures. (R9-10-201)

“Licensed capacity” means the total number of persons for whom the health care institution is authorized by the department to provide services as required pursuant to this chapter if the person is expected to stay in the health care institution for more than twenty-four hours. For a hospital, licensed capacity means only those beds specified on the hospital license. (A.R.S. § 36-401)

“Licensee” means an owner approved by the Department to operate a health care institution. (R9-10-101)

“Medical records” means all communications related to a patient’s physical or mental health or condition that are recorded in any form or medium and that are maintained for purposes of patient diagnosis or treatment, including medical records that are prepared by a health care provider or by other providers. Medical records do not include materials that are prepared in connection with utilization review, peer review or quality assurance activities, including records that a health care provider prepares pursuant to section 36-441, 36-445, 36-2402 or 36-2917. Medical records do not include recorded telephone and radio calls to and from a publicly operated emergency dispatch office relating to requests for emergency services or reports of suspected criminal activity, but shall include communications that are recorded in any form or medium between emergency medical personnel and medical personnel concerning the diagnosis or treatment of a person. (A.R.S. § 12-2291)

“Medical services” means the services pertaining to medical care that are performed at the direction of a physician on behalf of patients by physicians, dentists, nurses and other professional and technical personnel. (A.R.S. § 36-401)

“Neonate” means an individual:

- a. From birth until discharge following birth; or
- b. Who is designated as a neonate by hospital criteria. (A.A.C. R9-10-201)

“Nursing assistant” means a person who is certified pursuant to this chapter to provide or assist in the delivery of nursing or nursing-related services under the supervision and direction of a licensed nursing staff member in a location where a nursing assistant is required by law to be certified. Nursing assistant does not include a person who:

- (a) Is a licensed health care professional.
 - (b) Volunteers to provide nursing assistant services without monetary compensation.
- (A.R.S. § 32-1601)

“Nursing care institution” means an institution or other place, however named, whether for profit or not, including facilities operated by the state or a subdivision of the state, which is advertised, offered, maintained or operated for the express or implied purpose of providing care to persons who need nursing services on a continuing basis but who do not require hospital care or care under the daily direction of a physician. Nursing care institution does not include an institution for the care and treatment of the sick that is operated only for those who rely solely on treatment by prayer or spiritual means in accordance with the tenets of a recognized religious denomination. Nursing care institution also does not include nursing care services that are an integral part of a hospital licensed pursuant to this chapter. (A.R.S. § 36-446)

“Nursing care institution administrator” means a person who is charged with the general administration of a nursing care institution, whether or not that person has an ownership interest in the institution and whether or not the person's functions and duties are shared with others. (A.R.S. § 36-446)

“Nursing services” means those services pertaining to the curative, restorative and preventive aspects of nursing care that are performed at the direction of a physician by or under the supervision of a registered nurse licensed in this state. (A.R.S. § 36-401)

“Outpatient” means an individual who:

- a. Is not admitted to a hospital; or
- b. Receives hospital services for less than 24 consecutive hours.

(A.A.C. R9-10-201)

“Outpatient treatment center” means a health care institution class without inpatient beds that provides medical services for the diagnosis and treatment of patients. (A.A.C. R9-10-101)

“Owner” means a person who appoints, elects, or designates a health care institution’s governing authority. (R9-10-101)

“Patient” means an individual receiving medical services, nursing services, or health-related services from a health care institution. (A.A.C. R9-10-101)

“Pediatric” means pertaining to an individual designated by a hospital as a child based on the hospital’s criteria. (A.A.C. R9-10-201)

“Person” means an individual, partnership, corporation, association, governmental subdivision or unit of a governmental subdivision, a public or private organization of any character or another agency. (A.R.S. § 41-1001)

“Physical therapy” means the care and services provided by or under the direction and supervision of a physical therapist who is licensed pursuant to this chapter. (A.R.S. § 32-2001)

“Post-hospital extended care services” means the services that are described in and meet the requirements of 42 CFR 409.31.

Sec. 409.31 Level of care requirement.

- (a) Definition. As used in this section, skilled nursing and skilled rehabilitation services means services that:

- (1) Are ordered by a physician;

- (2) Require the skills of technical or professional personnel such as registered nurses, licensed practical (vocational) nurses, physical therapists, occupational therapists, and speech pathologists or audiologists; and
 - (3) Are furnished directly by, or under the supervision of, such personnel.
- (b) Specific conditions for meeting level of care requirements.
 - (1) The beneficiary must require skilled nursing or skilled rehabilitation services, or both, on a daily basis.
 - (2) Those services must be furnished for a condition--
 - (i) For which the beneficiary received inpatient hospital or inpatient CAH services; or
 - (ii) Which arose while the beneficiary was receiving care in a SNF or swing-bed hospital or inpatient CAH services; or
 - (iii) For which, for an M+C enrollee described in Sec. 409.20(c)(4), a physician has determined that a direct admission to a SNF without an inpatient hospital or inpatient CAH stay would be medically appropriate.
 - (3) The daily skilled services must be ones that, as a practical matter, can only be provided in a SNF, on an inpatient basis. (42 CFR 409.31)

“Practical nurse” means a person who practices practical nursing as defined in this section.
(A.R.S. § 32-1601)

“Practical nursing” includes the following activities that are performed under the supervision of a physician or a registered nurse:

- (a) Contributing to the assessment of the health status of individuals and groups.
- (b) Participating in the development and modification of the strategy of care.
- (c) Implementing aspects of the strategy of care within the nurse’s scope of practice.
- (d) Maintaining safe and effective nursing care that is rendered directly or indirectly.
- (e) Participating in the evaluation of responses to interventions.
- (f) Delegating nursing activities within the scope of practice of a practical nurse.
- (g) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a practical nurse. (A.R.S. § 32-1601)

“Professional nursing” includes the following:

- (a) Diagnosing and treating human responses to actual or potential health problems.
- (b) Assisting individuals and groups to maintain or attain optimal health by implementing a strategy of care to accomplish defined goals and evaluating responses to care and treatment.
- (c) Assessing the health status of individuals and groups.
- (d) Establishing a nursing diagnosis.
- (e) Establishing goals to meet identified health care needs.
- (f) Prescribing nursing interventions to implement a strategy of care.
- (g) Delegating nursing interventions to others who are qualified to do so.
- (h) Providing for the maintenance of safe and effective nursing care that is rendered directly or indirectly.
- (i) Evaluating responses to interventions.
- (j) Teaching nursing knowledge and skills.
- (k) Managing and supervising the practice of nursing.
- (l) Consulting and coordinating with other health care professionals in the management of health care.
- (m) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a professional nurse. (A.R.S. § 32-1601)

“Registered nurse”, “graduate nurse” or “professional nurse” means a person who practices professional nursing as defined in this section. (A.R.S. § 32-1601)

“Registered nurse practitioner” means a professional nurse who:

- (a) Is certified by the board.
- (b) Has completed a nurse practitioner education program approved or recognized by the board.
- (c) If applying for certification after July 1, 2004, holds national certification from a national certifying body recognized by the board or provides proof of competence if a certifying examination is not available.
- (d) Has an expanded scope of practice within a specialty area that includes:

- (i) Assessing clients, synthesizing and analyzing data and understanding and applying principles of health care at an advanced level.
- (ii) Managing the physical and psychosocial health status of clients.
- (iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting, implementing and evaluating appropriate treatment.
- (iv) Making independent decisions in solving complex client care problems.
- (v) Diagnosing, performing diagnostic and therapeutic procedures, prescribing, administering and dispensing therapeutic measures, including legend drugs, medical devices and controlled substances within the scope of registered nurse practitioner practice on meeting the requirements established by the board.
- (vi) Recognizing the limits of the nurse's knowledge and experience, planning for situations beyond the nurse's knowledge and expertise and consulting with or referring clients to other health care providers when appropriate.
- (vii) Delegating to a medical assistant pursuant to section 32-1456.
- (viii) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a nurse practitioner. (A.R.S. § 32-1601)

“Rehabilitation services” means medical services provided to a patient to restore or to optimize functional capability. (R9-10-201)

“Resident” means an individual who is not a relative of the licensee and who:

- a. Lives in an assisted living facility and receives supervisory care services, personal care services or directed care services; or
- b. Receives adult day health care services, or respite care services from an assisted living facility. (R9-10-701)

“Resident” means an admitted individual receiving nursing care institution services. (R9-10-901)

“Respite care services” means services provided by a licensed health care institution to persons otherwise cared for in foster homes and in private homes to provide an interval of rest or relief of not more than thirty days to operators of foster homes or to family members. (A.R.S. § 36-401)

“Rural” means either:

- (a) A county with a population of less than four hundred thousand persons according to the most recent United States decennial census.
- (b) A census county division with less than fifty thousand persons in a county with a population of four hundred thousand or more persons according to the most recent United States decennial census. (A.R.S. § 36-2171)

“Supportive services” or “related supportive services” means services other than home health services which may reasonably be expected to help maintain an individual in his home as an alternative to institutionalization. Such services may include, but not limited to, nutrition counseling, meals services, homemaker services, general maintenance services and transportation services. (A.R.S. § 36-151)

“Swing-bed hospital” means a hospital or CAH participating in Medicare that has an approval from CMS to provide posthospital SNF care as defined in Sec. 409.20 of this chapter, and meets the requirements specified in Sec. 482.66 or Sec. 485.645 of this chapter, respectively. (42 CFR 413.114)

“Trauma center” means any acute care hospital that provides in-house twenty-four hour daily dedicated trauma surgical services. (A.R.S. § 36-2201)

“Trauma center” means a health care institution that is designated pursuant to rules adopted by the department to provide a specific level of trauma care. (A.R.S. § 36-2225)

“Treatment” means a procedure or method to cure, improve, or palliate an injury, an illness, or a disease. (A.A.C. R9-10-101)

“Unscheduled medical services” means medically necessary periodic health care services that are unanticipated or cannot reasonably be anticipated and that require medical evaluation or treatment before the next business day. (A.R.S. § 36-401)

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“Volunteer” means a person who provides services to a hospice without compensation. (R9-10-801)